

ORIGINAL

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1/7/03  
JL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEVERLY BEAM

Plaintiff

vs.

SCOTT DOWNEY, ROGER  
MORRISON, DAVID GRAYBILL  
AND MICHAEL SWEGER

Defendants

NO. 1:CV-01-0083

(Judge McClure)

CIVIL ACTION - LAW

FILED  
HARRISBURG, PA

JAN 06 2003

MARY E. D'ANDREA, CLERK  
Per Deputy Clerk

AFFIDAVIT OF MELANIE L. ERB, ESQUIRE

1. Under penalty of perjury and pursuant to 28 U.S.C. §1746 I state as follows:
2. I am Defendant Sweger and Graybill's counsel in the present action.
3. Attached to the Defendants' Motion for Attorneys' Fees is an itemization of time and services provided by Defendants' counsel on the present case. The itemization represents all reasonable time spent on the items so indicated. In my opinion, all of these items and services were reasonable, proper and necessary to Defendants prevailing in this case. Additional time will be spent litigating the Motion.

4. In cases in which I charge an hourly rate, that rate is \$125.00 per hour. I believe that in this community, an hourly billing rate of \$125.00 per hour is reasonable for lawyers with my experience and ability.

5. In support of this base rate, I state that:

- a. I have been admitted to the practice of law before the state courts of Pennsylvania since November 18, 1999.
- b. I have also been admitted to practice before the United States District Court for the Middle District of Pennsylvania since February 2000.
- c. During my legal career, I have been engaged in the private practice of law in Harrisburg, Pennsylvania and have handled several civil rights claims in Federal court.
- d. I believe that the base hourly rate requested is reasonable based on my experience, litigation career and knowledge of civil rights law and litigation.

Respectfully submitted,

By: 

Melanie L. Erb, Esquire

Dated: 1/6/03